

REMARKS

The advisory action mailed June 8, 2005, states that Applicants' proposed amendments of May 17, 2005 raise new matter because they add generic terminology and additional descriptive information related to trademarks without providing evidence that this terminology and descriptive information corresponded to the trademarks at the time the application was filed.

The Applicants' attorney spoke with the Examiner via telephone on June 29, 2005. During that conversation, the Examiner stated that the new matter rejection was directed at terminology added to describe SYBR GREEN I and YO-PRO-1. The Examiner suggested the filing of a sworn declaration that the added terminology corresponded to the trademarked terms at the time of filing. Based on this discussion, Applicant has submitted the recommended declaration in conjunction with this response, along with references supporting Applicants' descriptions. In addition, Applicant has amended the specification and claims to more clearly mirror the language found in the supporting references.

CONCLUSION

In view of the foregoing, it is submitted that the application is in condition for allowance. Accordingly, Applicants respectfully request that a Notice of Allowance be issued.

Respectfully submitted,
Perkins Coie LLP

Date: 8/18/05


Patrick D. Morris, Ph.D.
Registration No. 53,351

Correspondence Address:

Customer No. 34055
Perkins Coie LLP
Patent – LA
P.O. Box 1208
Seattle, WA 98111-1208
Telephone: (310) 788-9900
Facsimile: (310) 788-3399